

The Department of Labor and Industries
Rule Making Agenda for July 1, 2000 – December 31, 2000

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
DIVISION: SPECIALTY COMPLIANCE SERVICES						
Chapter 296-81 Chapter 296-82 Chapter 296-84 Chapter 296-85 Chapter 296-87 Chapter 296-89 Chapter 296-91 Chapter 296-93A Chapter 296-94 Chapter 296-95 Chapter 296-100	Elevators, escalators, and other similar conveyances	Rich Atkinson 360-902-6128 Josh Swanson (360) 902-6411	6/17/1998	6/30/2000	10/20/2000	To repeal and adopt safety rules relating to elevators, escalators, and other similar conveyances into one chapter of the Washington Administrative Code in compliance with Executive Order 97-02 on regulatory improvement. The rules will be rewritten using the clear rule writing format and will be made easier to find, understand, and use.
Chapter 296-04	State Apprenticeship and Training Council - Internal Rules	Nancy Mason (360)902-5321 Josh Swanson (360) 902-6411	4/17/1998	8/2/2000	11/1/2000	To repeal and adopt the apprenticeship rules in a clear and usable format with the assistance of an advisory committee, and at the request of the Washington State Apprenticeship and Training Council. The adopted rules will also address changes identified by the Federal Department of Labor.
WAC 296-127-013	Prevailing Wage - Scope of Work Definitions	Greg Mowat 360-902-5530 Josh Swanson 360-902-6411	3/21/2000	5/23/2000	7/19/2000	The purpose of this rulemaking is to convert the prevailing wage scope of work policies into rules (WAC 296-127-01301 through 296-127-01391) and to amend WAC 296-127-013 to reflect the addition of the new rules. Emergency rules covering this title are currently in effect. This rulemaking also complies with Executive Order 97-02 on Regulatory Improvement by converting these policies into rule.

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Specialty compliance services Con't						
Chapter 296-150C Chapter 296-150F Chapter 296-150M Chapter 296-150P Chapter 296-150R Chapter 296-150V	Factory Assembled Structures	Dan Wolfenbarger (360) 902-5225 Josh Swanson (360) 902-6411	3/1/2000	6/21/2000	8/22/2000	The purpose of this rulemaking is to: <ul style="list-style-type: none">• Make clarifying and housekeeping changes,• Update a reference to, and incorporate requirements from, the Uniform Building Code,• Make amendments that were identified in the department's August 1997 Rule Review Plan, and• Incorporate policy into rule as directed by Executive Order 97-02 on Regulatory Improvement.
WAC 296-127-018	Prevailing Wage - coverage and exemptions of workers involved in the production and delivery of gravel, concrete, asphalt, or similar materials	Greg Mowat (360) 902-5530 Josh Swanson (360) 902-6411	7/5/2000	8/23/2000	11/17/2000	The purpose of this rulemaking is to repeal Section 018 of the Prevailing Wage Rules (Chapter 296-127) in order to eliminate the confusion between this section and the department's authority to administer and enforce the prevailing wage law for all work where a public expense is incurred.

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Specialty compliance services Con't						
Chapter 296-46 Chapter 296-401A Chapter 296-403	Installing Electric Wires & Equipment (telecommunications) - safety standards; Journeyman Electricians - certification of competency; and Amusement Rides or Structures	Ron Fuller (360) 902-5249 Josh Swanson (360) 902-6411	5/3/2000	8/2/2000	11/1/2000	<p>The purpose of this rulemaking is to:</p> <ul style="list-style-type: none"> • Establish a new regulatory framework for telecommunications as a result of Second Substitute Senate Bill 5802 that passed the legislature in its 1999 session (Chapter 238, Laws of 2000. • Permanently adopt the HVAC/refrigeration emergency rule of March 1, 2000. • Apply clear rule writing principles to the rules. • Make clarifying and housekeeping changes. • Review current policies on low voltage exemptions, automatic door openers, traffic signal and roadway illumination systems, and additional scope of work interpretations of electrical specialties. The conversion of these policies to rule complies with Executive Order 97-02 on regulatory improvement.

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Specialty compliance services Con't						
Chapter 296-104	Board of Boiler Rules	Dick Barkdoll (360) 902-5270 Josh Swanson (360) 902-6411	4/20/2000	8/2/2000	10/1/2000	The purpose of these rule changes is to make them consistent with nationally recognized standards/codes and public safety standards/codes. This rulemaking is being done in response to direction from the Board of Boilers and at the request of the boiler industry.

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DIVISION: INDUSTRIAL INSURANCE (Workers' compensation & crime victims)						
Chapter 296-31	Crime Victims' Compensation Program - mental health treatment - independent mental health evaluations.	Valerie Estes (360) 902-5369	8/2/00	9/20/00	11//30/00	The Crime Victims' Compensation Program will propose a rule so that it could use criteria different from those used for medical evaluations (WAC 296-23-265) in determining who can perform independent mental health evaluations under the crime victims program.
Chapter 296-17-850 through Chapter 296-17-930	Classifications and Rating System - general reporting	Ken Woehl (360) 902-4748	5/23/00	9/20/00	11/21/00	To amend the rules and rating tables to adjust industrial insurance rates for each risk classification based on current loss data for each classification.
New Chapter (296-23B)	Ambulatory Surgery Centers	Marilyn Gisser (306) 902-6801	7/5/00	10/4/00	12/29/00	To adopt a method for paying Ambulatory Surgery Centers for services provided to injured workers, and possibly crime victims.
Chapter 296-20-091	Home Nursing or attendant care - medical aid rules	James Dick (360) 902-5131	8/2/00	10/4/00	12/4/00	To amend and make new rules regarding non-agency attendant care providers.

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DIVISION: INDUSTRIAL INSURANCE (Workers' compensation & crime victims)						
Chapter 296-20-135 WAC 296-23-220 WAC 296-23-230	Specialty Providers - Medical aid rules	Tom Davis (360) 902-6687	12/24/00	2/16/01	4/18/01	To update WAC 296-20-135 with a new Resource Based Relative Value Scale (RBRVS) and anesthesia conversion factors and update maximum daily reimbursement level for Physical Therapy/Occupational Therapy (PT/OT) services in WAC 296-23-220 and -230.
Chapter 296-23A-0500	Hospitals	Marilyn Gisser (360) 902-6801	12/24/00	2/16/01	4/18/01	To amend these rules to reflect a change in UB-92 billing forms (Housekeeping)
Chapter 296-20-20-01501	Medical Aid Rules	Tom Davis (360) 902-6687	12/24/00	2/16/01	4/18/01	To amend these rules to reflect changes in Physician Assistant reimbursement policies (Housekeeping)
Chapter 296-17 - 90492	Table 1 -Standard Premium Size Range	Frank Romero (360) 902-4835	5/24/00	9/20/00	11/21/00	To update the premium ranges used in the retrospective rating program so that they reflect 2001 rate realignments.
Chapter 296-17 – 90493 – through - Chapter 90497	Retrospective rating Plans A, A1, A2, A3, and B	Frank Romero (360) 902-4835	5/24/00	9/20/00	11/21/00	To change the effective date from January 1, 2000 to January 1 2001.
[No citation]	Medical Coverage Policy Review	Jami Lifka (360) 902-4941	Review completed by 12/31/00			In accordance with Executive Order 97-02, medical coverage policies will be reviewed to see if they should be in rule.

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DIVISION: INDUSTRIAL INSURANCE (Workers' compensation & crime victims)						
Chapter 296-20	Medical Aid Rules	Jami Lifka (360) 902-4941	Not applicable	CR102XA 10/12/00	12/29/00	The department may change the title of this chapter through the expedited rule adoption process in order that the title may reflect the actual subjects covered in the rule.
Chapter 296-20	Medical Aid Rules	Jami Lifka (360) 902-4941	10/1/00	To be determined	To be determined	The department may update sections of this chapter to be consistent with current standards of care and department practices. This might include: <ul style="list-style-type: none">• updating sections that clarify which services are covered and which services require prior authorization, and• adding a section describing categories of permanent impairment for tinnitus. These changes may impact injured workers and crime victims.
WAC 296-20-01002	Medical Aid Rules – Definitions	Jami Lifka (360) 902-4941	10/1/00			In compliance with Executive Order 97-02, the department may review and rewrite, as necessary, the definitions in the Medical Aid Rules. These changes may impact injured workers and crime victims.

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WISHA SERVICES DIVISION						
Chapter 296-24	Diptanks - General Safety and Health Standards	Jim Hughes (360) 902-4504 Christine Swanson (360) 902-5484	4/26/00	9/19/00	1/10/01	To adopt new federal Occupational Safety and Health Administration (OSHA) requirements relating to diptanks.
Chapter 296-62	General Occupational Health Standards					
Chapter 296-24	Machine Guarding - General Safety and Health Standards	Linda Dausener 360-902-5516 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To revise and adopt requirements relating to machine guarding. This rulemaking complies with Executive Order 97-02 on Regulatory Improvement.
Chapter 296-24	Anhydrous Ammonia - General Safety and Health Standards	Jennie Hays 360-902-5523 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To review the storage and handling of the anhydrous ammonia requirements to identify issues relating to outdated technology, manufacturing requirements and to identify conflicts with the federal Occupational Safety and Health Administration (OSHA) and the National Institute for Occupational Safety and Health's (NIOSH) requirements.

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WISHA Services Division						
Chapter 296-24	Electrical- General Safety and Health Standards	George Huffman (360) 902-5008 Christine Swanson (360) 902-5484	6/7/01	03/01/01	06/01/01	To review outdated rule requirements in Part L, Electrical, and Part I, Welding, Cutting and Brazing. This rulemaking complies with Executive Order 97-02 on Regulatory Improvement.
Chapter 296-155	Safety Standards for Construction Work					
Chapter 296-24	Ladders - General Safety and Health Standards	Jennie Hays 360-902-5523 Christine Swanson 360-902-5484	To be determined	To be determined	To be determined	To review for possible updates concerning the requirements for the construction of wood ladders. This rulemaking complies with Executive Order 97-02 on Regulatory Improvement.
Chapter 296-24	Safety Color Coding - General Safety and Health Standards	Cindy Ireland (360) 902-5522 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To review safety color-coding for marking physical hazard requirements to identify issues related to outdated technology. This rulemaking complies with Executive Order 97-02 on Regulatory Improvement.
Chapter 296-28	Railroads - Clearance Rules - Railroads in Private Yards and Plants	George Huffman (360) 902-5008 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To review requirements for possible amendments. This rulemaking complies with Executive Order 97-02 on Regulatory Improvement.

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WISHA Services Division						
Chapter 296-32	Telecommunications - Safety Standards for Telecommunications	Jennie Hays (360) 902-5523 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To revise and adopt the telecommunication requirements with the assistance of the Telecommunications Safety Advisory Committee.
Chapter 296-32	Flaggers	George Huffman (360) 902-5008 Christine Swanson (360) 902-5484	7/5/00	10/18/00	1/26/01	To revise and adopt rules relating to flagger safety requirements in accordance with Chapter 239, Laws of 2000 (ESHB 2647).
	Safety Standards for Telecommunications					
Chapter 296-45	Safety Standards for Electrical Workers					
Chapter 296-155	Safety Standards for Construction Work					
Chapter 296-52	Explosives - Safety Standards for the Possession and Handling of Explosives	Linda Dausener (3600 902-5516 Christine Swanson (360) 902-5484	10/19/99	To be determined	To be determined	To review for possible updates to the blasting requirements with the assistance of an advisory committee.
Chapter 296-56	Longshore - Safety Standards for Longshore, Stevedore and Related Waterfront Operations	Cindy Ireland (360) 902-5522 Christine Swanson (360) 902-5484		7-18-00 (CR-102XA expedited adoption)	10/17/00	To review the longshore requirements so as to make them at least as effective as OSHA's (Occupational Safety and Health Administration).
Chapter 296-62	Cholinesterase Monitoring - General Occupational Health Standards	Ken Lewis (360) 902-4568 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	Cholinesterase monitoring requirements will be reviewed to determine if blood testing after pesticide exposure should be mandatory. This rulemaking is in the spirit of the Governor's Executive Order 97-02 on Regulatory Improvement.

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Chapter 296-62	Respiratory Protection - General Occupational Health Standards	Ken Lewis (360) 902-4568 Christine Swanson (360) 902-5484	6/7/00	8/22/00	11/21/00	To review requirements for possible amendments.
Chapter 296-62	Hazardous Waste - General Occupational Health Standards	Michael McCauley (360) 902-5779 Christine Swanson (360) 902-5484	4/26/00	To be determined	To be determined	To review for possible updates to Parts P and R for requirements relating to Hazardous Waste Operations and Environmental Controls. This rulemaking complies in the spirit of the Governor's Executive Order 97-02 on Regulatory Improvement.
Chapter 296-115	Charter Boats - Safety requirements for Charter Boats	Michael McCauley (360) 902-5779 Christine Swanson (360) 902-5484		6/7/00 (CR-102XA expedited adoption)	9/19/00	To revise and adopt rules relating to charter boats in accordance with Chapter 111, Laws of 1999 (HB 1996).
Chapter 296-155	Concrete Pumps - Safety Standards for Construction Work	Ken Lewis (360) 902-4568 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To revise and adopt concrete pumper requirements with the assistance of the Construction Advisory Committee.
Chapter 296-155	Attached Personnel Platforms - Safety Standards for Construction Work	Jim Hughes (360) 902-4504 Christine Swanson (360) 902-5484	12/21/99	2/29/00	7/12/00	To revise and adopt attached personnel platform requirements with the assistance of the Construction Advisory Committee.
Chapter 296-155	Fall Protection - Safety Standards for Construction Work	Cindy Ireland (360) 902-5522 Christine Swanson (360) 902-5484	N/A	4/4/00	7/3/00	To revise and adopt fall protection requirements so as to be as effective as the federal Occupational Safety and Health Administration's final rule.
Chapter 296-155	Salamanders - Safety Standards for Construction Work	Michael McCauley (360) 902-5779 Christine Swanson (360) 902-5484	2/15/00	To be determined	To be determined	We plan to review Part D for possible updates concerning the use of the term "Salamanders." This rulemaking complies with Executive Order 97-02 on Regulatory Improvement.
Chapter 296-155	Occupational Health & Environmental Controls - Safety Standards for Construction Work	Ken Lewis (360) 902-4568 Christine Swanson (360) 902-5484	6/20/00	10/17/00	1/1/01	To review requirements for possible amendments. This rulemaking complies with Executive Order 97-02 on Regulatory Improvement.

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Chapter 296-304	Shipbuilding - Safety Standards for Ship Repairing, Shipbuilding and Shipbreaking	Jim Hughes (360) 902-4504 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To revise and adopt requirements relating to shipbuilding. This rulemaking complies with Executive Order 97-02 on Regulatory Improvement.
Chapter 296-307	Agriculture - Safety Standards for Agriculture	Ken Lewis (360) 902-4568 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To review requirements so that they are at least as effective as OSHA's (Occupational Safety and Health Administration).
New Chapter 296-800	Innovations	Cindy Ireland (360) 902-5522 Christine Swanson (360) 902-5484	11/30/99	9/19/00	02/01/01	To adopt a user-friendly book of core requirements in accordance with Chapter 360, Laws of 1999 (ESHB 5180).

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Chapter 296-24 WAC	Miscellaneous Changes - General Safety and Health Standards	Linda Dausener (360) 902-5516 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To adopt federal Occupational Safety and Health Administration (OSHA) miscellaneous requirements so as to be at least as effective as the federal final requirements.
Chapter 296-32 WAC	Safety Standards for Telecommunications					
Chapter 296-36 WAC	Safety Standards - Compressed Air Work					
Chapter 296-37 WAC	Safety Standards for Commercial Diving Operations					
Chapter 296-45 WAC	Safety Standards for Electrical Workers					
Chapter 296-54 WAC	Safety Standards - Logging Operations					
Chapter 296-56 WAC	Safety Standards for Longshore, Stevedore and Related Waterfront Operations					

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Chapter 296-62 WAC	General Occupational Health Standards	Linda Dausener (360) 902-5516 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To adopt federal Occupational Safety and Health Administration (OSHA) miscellaneous requirements so as to be at least as effective as the federal final requirements.
Chapter 296-67 WAC	Safety Standards for Process Safety Management of Highly Hazardous Chemicals					
Chapter 296-78 WAC	Safety Standards for Sawmills and Woodworking Operations					
Chapter 296-79 WAC	Safety Standards for Pulp, Paper, and Paperboard Mills and Converters					
Chapter 296-99 WAC	Safety Standards for Grain Handling Facilities					
Chapter 296-155 WAC	Safety Standards for Construction Work					
Chapter 296-304 WAC	Safety Standards for Ship Repairing, Shipbuilding and Shipbreaking	Linda Dausener (360) 902-5516 Christine Swanson (360) 902-5484	To be determined	To be determined	To be determined	To adopt federal Occupational Safety and Health Administration (OSHA) miscellaneous requirements so as to be at least as effective as the federal final requirements.
Chapter 296-307 WAC	Safety Standards for Agriculture					